

HULDAH BUTLER—CHILDREN OF.

[To accompany Bill H. R. No. 736.]

MAY 18, 1860.

Mr. DELANO, from the Committee on Revolutionary Pensions, made the following

REPORT.

The Committee on Revolutionary Pensions, to whom was referred the memorial of Sarah Whitney and Mary Huggerford, children of Huldah Butler, deceased, report :

That said petitioners are both widows advanced in years, and destitute of property, and having families dependent on them ; and that prior to November 12, 1857, their mother, Mrs. Huldah Butler, had for many years resided in the family of one of said petitioners, at Northampton, in the State of Massachusetts, where she died, at the date aforesaid, at the advanced age of eighty-four years ; that the said Huldah Butler was the daughter of Colonel John Brown, an officer in the war of the revolution ; and that being a widow and in needy circumstances, she made her petition to Congress, early in the first session of the thirty-fourth Congress, praying that Congress, in consideration of the patriotic services of her father, would grant to her a pension or allowance.

That the Hon. Charles Sumner, a senator from Massachusetts, had charge of her petition, and that she supposed it was taking its due course through Congress, until late in the second session of that Congress, when she learned that Mr. Sumner, being himself detained by ill health from his official duties, had inadvertently left her petition and accompanying papers locked in his desk in the Senate chamber, where they were found just prior to the close of said Congress, and then referred to the appropriate committee.

That on the 26th of February, 1857, seven days only before the close of the thirty-fourth Congress, the Hon. Mr. Foster, of Connecticut, reported from the Committee on Revolutionary Claims a bill granting relief to said Huldah Butler, a copy of which report, illustrating the character and nature of the service of the said Colonel Brown, is incorporated herewith, and is as follows :

"The Committee on Pensions, to whom was referred the petition of Huldah Butler, daughter of John Brown, an officer in the army of the revolution, having had the same under consideration, respectfully report:

"John Brown, the father of the petitioner, rendered distinguished services to the cause of American independence, preceding and during the war of the revolution. In February, 1775, he went on a mission to Canada, and, it is believed, made the first suggestion which is on record of seizing Fort Ticonderoga. He was a volunteer in the expedition which captured that fort, in May, 1775, and is spoken of as having distinguished himself both in counsel and in action. At a subsequent period, having attained the rank of major, he was placed by General Montgomery in command of the first detachment, which entered Canada in advance of the main army, and took Fort Chamblee.

"Botta says: 'Colonel Allen and Major Brown, both officers of real talent, concerted the project of surprising the city of Montreal.' Major Brown also commanded a corps at the siege of Quebec. Judge Marshall, in his life of Washington, makes honorable mention of Major Brown's services in Canada. On the 29th of July, 1776, as appears by the resolutions of Congress of that date, he was commissioned a lieutenant colonel. He resigned his commission, and that resignation was accepted by Congress in the following year, but continued to render service from time to time in the militia, and as a volunteer, till the fall of the year 1786. In the campaign of 1777, in cutting off the facilities for General Burgoyne's retreat, his conduct is spoken of in terms of marked commendation. The reason for Colonel Brown's resignation of his commission in the continental line is not fully apparent to the committee. There are reasons for believing it was occasioned by a controversy which he had with General Arnold, with whom he served, and whose character he seems to have perfectly understood. In a card published by Colonel Brown, previous to resigning his commission, alluding to General Arnold, he concludes with these remarkable words: 'Money is that man's god, and to get enough of it he would sacrifice his country.'

"In the fall of the year 1780 Colonel Brown left his home in Pittsfield, Massachusetts, to visit Albany, New York, on private business. He there met Colonel Ashley, who had been ordered on an expedition up the Mohawk river to relieve General Schuyler. Colonel Ashley, being sick, prevailed on Colonel Brown to take his equipments and the command of his regiment, which he did, under the orders of General Van Rensselaer. His guide proved to be a traitor, and led the party into an ambuscade of Canadians, Tories, and Indians, at Stone Arabia or Palestine, as it is now called, where he was killed in the battle of October 19, 1780. He was thirty-six years of age, and left a wife and several children. The petitioner is his sole surviving child, is a widow, over eighty-three years old, and poor.

"The Hon. Mr. Minot, late Commissioner of Pensions, with whom the committee have communicated, writes as follows:

"It is perfectly clear that, under the existing acts of Congress, the petitioner has no legal claim upon the United States. I need not add,

what the papers in the case abundantly show, that Colonel Brown's character and services were so meritorious that if the case stood alone I should regard this as an instance eloquently invoking legislative interposition. Colonel Brown was slain by the enemy while engaged upon an enterprise into which he had been led to volunteer his services, in a manner at once generous and patriotic. The question whether Congress will not, by extending the relief asked, open the door to numerous other applications of a similar character, if not of equal merit; and whether, if such should be the result, more than justice would be done, is one which, it being my duty only to execute the laws as they are, I must leave to the discretion of the committee and of Congress.'

"Your committee are of opinion that, under the peculiar circumstances of this case, relief ought to be granted. They think that the petitioner should receive the half pay for seven years provided for by the resolution of the old Congress, of August 24, 1780. They therefore report a bill."

Your committee being fully sensible of the meritorious nature of Mrs. Butler's claim, and having no doubt that it failed of being duly considered and allowed prior to her death only in consequence of an accident and delays over which she had no control, and not deeming it creditable to Congress that it should take advantage of the accident adverted to to withhold from her children, the present petitioners, the allowance or grant which they make no question would have been seasonably accorded to her had it not been for such accident, recommend the passage of the accompanying bill, giving to the present memorialists the amount of half pay for seven years, as reported by the Senate committee.

